Overburdened Judicial system

462. SHRI KRISHAN LAL SHARMA: Will the PRIME MINISTER be pleased to state:

(a) whether it is a fact that our judicial system is overburdened with the cases pending for disposal;

(b) whether it is also a fact that one of the reasons for pile-up of these cases is centralisation of our system;

(c) if so, whether Government propose to issue guidelines fixing time-limit within which a case has to be disposed of;

(d) whether Government also propose to assign judicial limit beyond which a case is not allowed to be filed; and

(e) if so, by when such guidelines are likely to be issued?

THE MINISTER OF STATE IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI H. R. BHARDWAJ): (a) Yes, Sir.

(b) to (e) In order to consider the problem of arrears of cases in Courts and find out ways and means to deal with it as expeditiously as possible, a meeting of the Chief Ministers and Chief Justices of the High Courts was held on 4th December, 1993, under the Chairmanship of Prime Minister. The resolutions adopted in the Conference have been commended to all the States/Governments/UT Administrations and High Courts for necessary action. A copy of the Resolutions adopted by the Conference is attached as Annexure (*See* Appendix 171, Annexure No. 8).

The Administration of Justice has been made a plan item with a view to remove infrastructural bottlenecks coming in the way of expeditious disposal of cases.

Transfer of High Court Judges

463. SHRI N. GIRI PRASAD: Will the PRIME MINISTER be pleased to state:

(a) the criteria/guidelines adopted by Government for transferring High Court Judges from their original Court to outside High Court;

(b) the names of High Court Judges transferred from their original Courts to outside High Court during the last five years with the respective dates of such transfer, names of the original High Court(s) from where transferred, names of High Courts to which transferred and the reasons for such transfer in each case;

(c) the names of the present Chief Justices of the various High Courts along with the details of their original High Court, the respective dates of their current appointment as well as the dates of their retirement, Chief Justice-wise; and

(d) the names of Supreme Court Judges appointed from North-Eastern States alongwith the respective dates of such appointment as well as retirement.

THE MINISTER OF STATE IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI H. R. BHARDWAJ): (a) Transfers of Judges from one High Court to another are made on the recommendation of the Chief Justice of India in terms of Article 222 of the Constitution of India.

The Government have accepted as a policy recommendations of the Law Commission in its 80th Report that there should be a convention according to which 1/3rd of Judges in each High Court should be from any other State. The Government have decided that this may be implemented either by making initial appointments from outside or by effecting transfers.

(b) The particulars of the sitting puisne/Additional Judges who have been transferred from one High Court to another during the last five years from 22-7-1989 to 21-7-94 are given in the enclosed Statements I and II (*See* below).

(c) The particulars of the Chief Justices of the High Courts are given in the Annexure. [*See* Appendix 171, Annexure No. 9]